

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

Marty Hierholzer, an individual; MJL
Enterprises, LLC, a Virginia corporation,

Plaintiffs,

v.

Isabel Guzman, in her official capacity as
Administrator of the Small Business
Administration; Small Business Administration,

Defendants.

Civil Case No. 2:23-cv-00024-RAJ-DEM

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs Marty Hierholzer and MJL Enterprises, LLC hereby appeal to the United States Court of Appeals for the Fourth Circuit the February 15, 2024, Memorandum Opinion and Order granting Defendants' motion to dismiss (Dkt. 49) and Judgment in a Civil Case (Dkt. 50). Pursuant to Federal Rule of Appellate Procedure 4(a)(1)(B)(ii) & (iii), this notice of appeal is filed within 60 days of the order and judgment appealed from.

DATED: February 26, 2024.

Respectfully submitted,

s/ Alison Somin

Alison Somin
Virginia Bar No. 79027
PACIFIC LEGAL FOUNDATION
3100 Clarendon Blvd., Suite 1000
Arlington, VA 22201
Telephone: (202) 888-6881
Fax: (916) 419-7747
ASomin@pacificlegal.org

Joshua P. Thompson*
Cal. Bar No. 250955
PACIFIC LEGAL FOUNDATION
555 Capitol Mall, Suite 1290
Sacramento, CA 95814
Telephone: (916) 419-7111
Fax: (916) 419-7747
JThompson@pacificlegal.org

Glenn E. Roper*
Colo. Bar No. 38723
PACIFIC LEGAL FOUNDATION
1745 Shea Center Drive, Suite 400
Highlands Ranch, CO 80129
Telephone: (916) 419-7111
Fax: (916) 419-7747
GERoper@pacificlegal.org

Attorneys for Plaintiff

*Pro hac vice

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2024, I submitted the foregoing to the Clerk of the Court via the District Court's CM/ECF system, which will provide notice of the submission of this document to all counsel of record.

s/ Alison Somin
Alison Somin
Virginia Bar No. 79027
PACIFIC LEGAL FOUNDATION
3100 Clarendon Blvd., Suite 1000
Arlington, VA 22201
Telephone: (202) 888-6881
Fax: (916) 419-7747
ASomin@pacificlegal.org
Attorney for Plaintiffs